

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

v.

TYSON FOODS, INC., et al.,

Defendants.

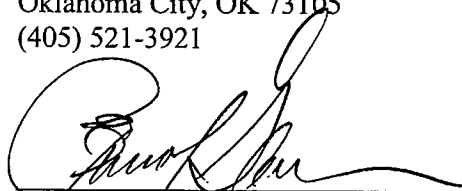
Case No. 4:05\_cv\_00329\_GKF\_SAJ

AMENDED  
NOTICE OF DEPOSITION OF CARGILL INC.  
(Rule 30(b)(6) of the Federal Rules of Civil Procedure)

Please take notice that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, the deposition of Cargill Inc., (hereinafter "Cargill"), by and through its duly designated representative(s), shall be taken by the State at 9:00 O'clock A.M. on **January 30, 2008** at the offices of Rhodes, Hieronymus, Jones, Tucker & Gable, 100 W. 5th St., Suite 400, Tulsa, Ok, before a qualified court reporter and videographer, such examination to continue by adjournment, if necessary, until the same is completed on those matters set forth in the attached Exhibit "A":

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

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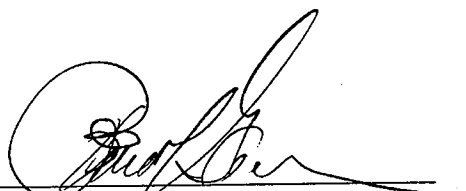
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“EXHIBIT A”

I. Definitions

1. "You" or "Yours" means Cargill Inc., and includes any parent, holding company, sister corporation, subsidiary, partnership, joint venture, association, owned by or which Cargill has an interest.

2. "Your poultry growing operations" means any poultry growing facility where birds owned by you are being fed, produced or grown.

3. As used herein "poultry waste" means poultry excrement, bedding material, feed wastes and any other waste associated with the confinement of poultry in a grow house which is removed periodically from the grow house and used or disposed of elsewhere, also commonly referred to by the Poultry Integrator Defendants as poultry litter.

II. Areas of Inquiry:

1. Your corporate history, businesses, and organizational structure, including without limitation:

- a. identification of officers, directors, managers and shareholders of Cargill Inc, its divisions, and subsidiaries past and present and those officers, directors managers and shareholders which are or have been shareholders, officers, directors, and managers of Cargill Value Added Meats, Cargill Turkey Products, Inc., Cargill Turkey Production LLC., and the Mosaic Company;
- b. Cargill's relationship with any parent, affiliate, holding company or subsidiary, business platform or business unit;
- c. Cargill's relationship in or to any LLC, limited partnership, joint venture, public company or association, including without limitation the events and details of the transaction of Cargill creating the Limited Liability Company called Cargill Turkey Production, LLC to grow turkeys;



- d. Identification of any other areas of corporate business or operation conducted by you in addition to your growing, processing and marketing of poultry and poultry products, including without limitation fertilizer and crop nutrient interests and the correlation or association by corporate structure to Cargill Inc.
- e. Your relationship with the following entities: Shady Brook Farms; Plantation Farms Inc; Sunny Fresh Foods Inc.; Rocco Farms, Inc.; Southern Poultry Farms, Inc.; The Mosaic Company; Cargill Turkey Products, Inc.
- f. Cargill's fertilizer businesses (or interest therein) past and present, previously owned and operated including without limitation those businesses merged with IMC Global as Cargill's contribution resulting in the new company called The Mosaic Company.
- g. Notices from governmental agencies alleging that Cargill, its subsidiaries, agents or employees were/are a potential responsible party at sites under CERCLA or other environmental cleanup laws;
- h. Identification of any cleanup sites where costs were incurred by (or alleged to be due from) CTP, its subsidiaries, agents or employees for environmental harm from the constituents of poultry waste such as Nitrogen, Phosphorus (Phosphorous), Potassium including compounds thereof, and/or any pathogens and bacteria;
- i. Explanation and correlation of the business platforms and business units employed by Cargill with any corporate entities owned or affiliated with Cargill and explanation and correlation of the corporate structure of all corporations, limited liability companies, partnerships, and organizations owned in whole or part by Cargill identified in any such business platform or unit.

2. Any information you have or provided Cargill Turkey Production LLC, its employees and agents regarding the environmental and human health effects / impacts of run-off / discharge / release of poultry waste (or any constituents thereof) from land or locations on which poultry waste has been stored, spread on or disposed of within the IRW.

3. Any information you have or provided to Cargill Turkey Production LLC, its employees and agents, from efforts undertaken by you, directly or indirectly, to evaluate and / or quantify any environmental and human health effects / impacts of run-off / discharge / release of poultry waste (or any constituents thereof) from land or locations on which poultry waste has been stored, spread on or disposed of.

4. The types of bacteria in poultry waste, and the basis of that knowledge.

5. Present practice regarding handling, storage, and spreading on land of poultry waste in the IRW.

6. Present practices, policies, recommendations and procedures, pertaining to the management, handling, storage, transportation, sale, trading, spreading on land, disposition, and disposal of poultry waste generated by poultry growing operations in the IRW.

7. Cargill Inc.'s interaction and communications with, management of, and supervision of CTP.